

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TRACY WHITAKER	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF CHESTER, et al.	:	NO. 14-4231

ORDER

AND NOW, this ^{23RD} day of September, 2014, upon consideration of plaintiff's motion to proceed *in forma pauperis*, *pro se* complaint, "Motion for Request to Produce Documents and Tangible Things, Under Rule 34," "Motion to Supplemental Pleadings to 42 U.S.C. § 1983 Complaint Pursuant to Fed. Rule. Civ. Proc., Rule 15," and "Declaration/Affidavit," it is ORDERED that:

1. Leave to proceed *in forma pauperis* is GRANTED.
2. Plaintiff Tracy Whitaker, #CP-9712, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by plaintiff, an initial partial filing fee of \$35.19 is assessed. The Superintendent or other appropriate official at the State Correctional Institution at Coal Township or at any other prison at which plaintiff may be incarcerated is directed to deduct \$35.19 from plaintiff's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 14-4231. After the initial partial filing fee is collected and until the full filing fee is paid, the Superintendent or other appropriate official at the State Correctional Institution at Coal Township or at any other prison at which plaintiff may be incarcerated, shall deduct from plaintiff's account, each time that

plaintiff's inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 14-4231.

3. The Clerk of Court is directed to send a copy of this order to the Superintendent of the State Correctional Institution at Coal Township.

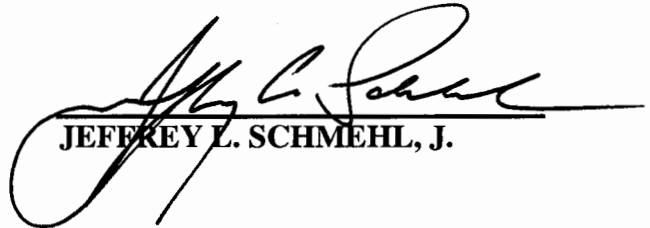
4. Plaintiff's "Motion to Supplemental Pleadings to 42 U.S.C. § 1983 Complaint Pursuant to Fed. Rule. Civ. Proc., Rule 15" (Document No. 6) is GRANTED. The allegations in that motion and plaintiff's "Declaration/Affidavit" have been treated as part of the complaint.

5. The complaint is DISMISSED with prejudice as legally frivolous and for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) & (ii), for the reasons stated in the Court's Memorandum.

6. The "Motion for Request to Produce Documents and Tangible Things, Under Rule 34" (Document No. 5) is DENIED.

7. The Clerk of Court shall CLOSE this case.

BY THE COURT:



JEFFREY L. SCHMEHL, J.